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and Wells Fargo & Co.*

[Additional Parties and Counsel on Signature Page]

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

Lawrence J. Mitchell, Kay Mitchell, Matthew C. Bishop, Tracy Kilgore, Jennifer K. Zeleny, Joseph W. Steele V, Scott Westin, Bruce Bird, Nathan Ornellas, Anu Sood, Brent Miller, Nicholas Beach, Alex Inskeep, Loretta Grady, Richard Fountain, Matthew Gragg, Akoya Lawani, Sharon Williams, Ken Gregory, Sbeen Ajmal, David Self, Edward Dowdy, April Thomas, Don Black, Reza Kamali, Anthony Baquero, Carina Rhea, Shanell Golden, Kim Weston, Adam Brandt, Jacci Brandt, Jennifer King, Ralph McCoy, Aaron Hands, Ayana Smith, Lisa Stern, Mbegane Diouf, Doug Waters, Candyce Ravenell, Paul Fos, Patricia Burkhalter, Blake Knight, Cameron Casey, Jeffery Taylor, Robert Moyer, Marcia Cameron, Gloria Pledger, Charles Jones, Aaron Brodie, Dominique Evans, Richard Farr, Kevin Saliva, Harold Beard, Travis Ashby, Andrew Gorayeb, Scott Mugrage, Edwin Zorilla, Curtis Dowdle, Edward Klann, Steven Stetzel, Glenn Gilleshammer, Wenoka Thompson, Maryann Aldous, Jennifer Porter, Robin Quigg, Tamar Hodges, Barbara Shadoan, Austin Law, Jennifer Ellsworth, Michelle Sterling, Denise Poe, Jamal Dean,

**STIPULATED MOTION FOR ORDER
GRANTING DEFENDANTS' MOTION
TO STAY LITIGATION ON THE
MERITS PENDING RESOLUTION OF
PENDING AND ANTICIPATED
MOTIONS TO COMPEL
ARBITRATION, AND SETTING
BRIEFING SCHEDULE FOR PENDING
MOTION TO COMPEL ARBITRATION**

Case No. 2:16-cv-00966
Judge Clark Waddoups

<p>Brandon Westman, Concepcion Powell, Adrian Thompson, Eric Talaska, Zachary Christensen, Erica Jones, Stephen Hope, Nedelka Martinsen <i>et al</i> and unknown Plaintiffs 1-1,000,000,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>Wells Fargo Bank, National Association, a National Banking Association, and Wells Fargo & Company, a Delaware Corporation, and Does 1-5,300,</p> <p style="text-align: center;">Defendants.</p>	
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Defendants Wells Fargo Bank, N.A and Wells Fargo & Company (“Defendants”), by and through their counsel, and Plaintiffs, by and through their counsel, hereby stipulate as follows:

WHEREAS on November 23, 2016, Defendants concurrently filed a Motion to Compel Arbitration Pursuant to FAA §§ 3-4 (ECF No. 24) (“Motion to Compel Arbitration”), a Motion to Dismiss the Second Amended Complaint for Failure to State a Claim under Rule 12(b)(6), or, in the Alternative, for a More Definite Statement under Rule 12(e) (ECF No. 30) (“Motion to Dismiss”), and a Motion to Stay Litigation on the Merits Pending Resolution of Pending and Anticipated Motions to Compel Arbitration (ECF No. 29) (“Motion to Stay”);

WHEREAS, Defendants’ Motion to Stay requested an order staying all litigation on the merits of the underlying dispute in this case, including briefing and resolution of Defendants’ Motion to Dismiss, and all discovery, save for the limited discovery requested in connection with Defendants’ Motion to Compel Arbitration, until the Court has resolved Defendants’ pending Motion to Compel Arbitration of 58 named plaintiffs, and their anticipated motion to compel arbitration directed to the remaining 22 named plaintiffs after the completion of limited

discovery aimed at confirming these individuals' identities and the relevant agreements governing their relationships with Defendants;

WHEREAS, Plaintiffs consent to the entry of an order granting Defendants' Motion to Stay;

WHEREAS, counsel for the parties have met and conferred regarding a stipulated briefing schedule on Defendants' pending Motion to Compel Arbitration to accommodate counsel's schedules during the holidays and to avoid scheduling uncertainties relating to the classification of Defendants' Motion to Compel Arbitration under the Local Rules;

WHEREAS, the parties have agreed to a stipulated briefing schedule on Defendants' pending Motion to Compel Arbitration in which the deadline for Plaintiffs to file their opposition is December 23, 2016, and the deadline for Defendants to file their reply is January 27, 2017;

NOW, THEREFORE, Plaintiffs and Defendants, through their respective counsel of record, hereby stipulate and mutually request the entry of an order that:

(1) Defendants' pending Motion to Stay (ECF No. 29) be granted, and that:

(a) litigation on the merits of Plaintiffs' claims in this action—including further briefing and resolution of Defendants' pending Motion to Dismiss (ECF No. 30)—be stayed until the Court has determined whether each of the named Plaintiffs in this action should be compelled to bring his or her claims in arbitration;

(b) should the stay be lifted, the parties shall meet and confer and submit for the Court's approval a proposed briefing schedule on Defendants' Motion to Dismiss;

(2) The briefing schedule on Defendants' pending Motion to Compel Arbitration be set as follows:

- (a) Plaintiffs' deadline to file their opposition to Defendants' pending Motion to Compel Arbitration is December 23, 2016; and
- (b) Defendants' deadline to file their reply in support of their pending Motion to Compel Arbitration is January 27, 2017.

DATED this 12th day of December, 2016.

MUNGER, TOLLES & OLSON LLP

By: /s/ Erin J. Cox

David H. Fry
Erin J. Cox
Eric P. Tuttle

RAY QUINNEY & NEBEKER P.C.

James S. Jardine
Elaina M. Maragakis
Michael D. Mayfield

DATED this 12th day of December, 2016.

CHRISTENSEN YOUNG & ASSOCIATES, PLLC

/s/ Zane L. Christensen

Zane L. Christensen
Steven A. Christensen

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of December, 2016, I electronically filed the foregoing **STIPULATED MOTION FOR ORDER GRANTING DEFENDANTS' MOTION TO STAY LITIGATION ON THE MERITS PENDING RESOLUTION OF PENDING AND ANTICIPATED MOTIONS TO COMPEL ARBITRATION, AND SETTING BRIEFING SCHEDULE FOR PENDING MOTION TO COMPEL ARBITRATION** with the Clerk of Court using the CM/ECF system, which sent notification of such filing to the following:

Zane L. Christensen
Steven A. Christensen
CHRISTENSEN YOUNG & ASSOCIATES, PLLC
9980 South 300 West, #200
Sandy, UT 84070

/s/Erin J. Cox